

DARREL K. YASUTAKE (Bar No. 142927)  
HUBERT & YASUTAKE  
1390 Willow Pass Road, Suite 360  
Concord, California 94520  
Telephone: (925) 680-4266  
Facsimile: (925) 680-4259

Attorneys for Plaintiff  
STATE FARM GENERAL INSURANCE CO.

KATHLEEN STRICKLAND (Bar No. 064816)  
CHUNG-HAN LEE (Bar No. 231950)  
HOLLAND & KNIGHT LLP  
50 California Street, 28th Floor  
San Francisco, California 94111  
Telephone: (415) 743-6900  
Facsimile: (415) 743-6910

Attorneys for Defendant  
**MAYTAG CORPORATION**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

STATE FARM GENERAL INSURANCE  
CO., )  
Plaintiff, )  
vs. )  
MAYTAG CORPORATION, and DOES 1  
through 20 )  
Defendants. )

**No. 2:05-CV-00655-WBS-DAD**

**STIPULATED REQUEST TO MODIFY  
THE SCHEDULING ORDER  
AND [PROPOSED] ORDER**

Plaintiff State Farm General Insurance Co. (“State Farm”) and Defendant Maytag Corporation (“Maytag”) hereby make this stipulated request for an order to modify the scheduling order pursuant to Local Rules 83-143 and 6-144.

On January 30, 2006, the parties filed a Stipulated Request to Modify The Scheduling Order and Request to Withdraw January 18, 2006 Stipulation to continue certain deadlines from the August 4, 2005 Scheduling Order because of difficulties in scheduling the depositions of the

1 insureds in this matter due to an illness in the insured's family and also to allow the experts to  
2 arrange for and conduct a more detailed examination of the subject machines in a laboratory  
3 facility. On February 1, 2006, the Court granted the Stipulated Request which provided for the  
4 following deadlines:

<b>Disclosure of Expert Witnesses</b>	<b>March 15, 2006</b>
<b>Disclosure of Rebuttal Expert Witness</b>	<b>April 17, 2006</b>
<b>Close of Discovery</b>	<b>June 16, 2006</b>
<b>All Discovery Motions Heard</b>	<b>June 16, 2006</b>
<b>Last Day for Filing Motions</b>	<b>July 21, 2006</b>
<b>Final Pretrial Conference</b>	<b>October 23, 2006 at 10 a.m.</b>
<b>Trial Date</b>	<b>December 12, 2006 at 9 a.m.</b>

12 Since the Court modified the scheduling order on February 1, 2006, the parties have continued to  
13 diligently pursue written and oral discovery, including the additional expert examination of the  
14 subject machines at issue in this case which took place on February 21, 2006. In addition, the  
15 parties had scheduled the depositions of the insured's to take place on March 6, 2006. However,  
16 prior to the depositions, the parties began to engage in settlement discussions that the parties hope  
17 will resolve this case. The parties now seek to modify the current scheduling order again so the  
18 parties can continue to engage in settlement negotiations without incurring additional expenses and  
19 fees spent on depositions and expert reports. The parties are hopeful that a settlement can be  
20 reached within the next two weeks, and the parties will continue with the depositions and the expert  
21 reports if it appears no resolution is forthcoming. Therefore, the parties respectfully propose the  
22 following modifications to the Scheduling Order:

<b>Disclosure of Expert Witnesses</b>	<b>April 14, 2006</b>
<b>Disclosure of Rebuttal Expert Witness</b>	<b>May 15, 2006</b>

25 The parties do not propose any modifications to the other deadlines set forth in the February 1, 2006  
26 Scheduling Order and do not seek to modify the deadline for close of discovery or the trial date.  
27  
28

1        This is the second extension of time sought by the parties. The parties' stipulated request to  
2 modify the Scheduling Order is not sought for the purpose delay but is intended to allow the parties  
3 to engage in meaningful settlement discussion without incurring additional expenses and fees spent  
4 on depositions and expert reports.

5  
6  
7        Dated: March 6, 2006

Respectfully Submitted,

HUBERT & YASUTAKE

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

---

/s/  
DARREL K. YASUTAKE (Bar No. 142927)  
HUBERT & YASUTAKE  
1390 Willow Pass Road, Suite 360  
Concord, California 94520  
Telephone: (925) 680-4266  
Facsimile: (925) 680-4259

Attorneys for Plaintiff  
STATE FARM GENERAL INSURANCE CO.

Dated: March 6, 2006

HOLLAND & KNIGHT LLP

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

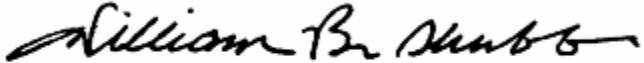
---

/s/  
KATHLEEN STRICKLAND (Bar No. 064816)  
CHUNG-HAN LEE (Bar No. 231950)  
HOLLAND & KNIGHT LLP  
50 California Street, 28th Floor  
San Francisco, California 94111  
Telephone: (415) 743-6900  
Facsimile: (415) 743-6910

Attorneys for Defendant  
MAYTAG CORPORATION

**IT IS SO ORDERED.**

Dated: March 7, 2006

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

# 3626091\_v1